

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 18, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

REBEKAH S.,¹

Plaintiff,

vs.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:24-cv-00238-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF No. 7

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 7, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Eric Penar represents Plaintiff. Attorney L. Jamala Edwards represents Defendant.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 7**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the
4 Commissioner of Social Security for further administrative proceeding pursuant to
5 sentence four of 42 U.S.C. § 405(g).

6 The parties have stipulated to the following instructions. On remand, the
7 Appeals Council will instruct the ALJ to:

- 8 • Reevaluate the evidence of record;
- 9 • Offer Plaintiff the opportunity for a new hearing; and
- 10 • Issue a new decision.

11 *See* ECF No. 7 at 1.

12 3. Judgment shall be entered for **PLAINTIFF**.

13 4. Upon proper presentation, this Court consider Plaintiff's application
14 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

15 The District Court Executive is directed to enter this Order, **enter Judgment**
16 **in favor of Plaintiff**, forward copies to counsel, and **CLOSE THE FILE**.

17 DATED September 18, 2024.

18 *s/Robert H. Whaley*
19 ROBERT H. WHALEY
20 Senior United States District Judge